

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

DANIEL JOYCE,
Individually and on behalf of a class of others
similarly situated,

Plaintiff,

v.

JOHN HANCOCK FINANCIAL SERVICES,
INC. SEVERANCE PAY PLAN and JOHN
HANCOCK FINANCIAL SERVICES, INC.,
as Administrator and Fiduciary of the John
Hancock Financial Services, Inc. Severance
Pay Plan

Defendants.

Civil Action No.05-11428 – WGY

AFFIDAVIT OF QUALIFICATIONS TO SERVE AS CLASS COUNSEL

I, Kevin T. Peters, do hereby depose and state as follows:

1. I have been retained as counsel by the Plaintiff in the above referenced matter. I submit this affidavit in support of my qualifications to serve as counsel for the members of the putative class and to engage in the trial of this matter, including all pre-trial procedures and hearings in connection with same.

2. I am a partner with the law firm of Todd & Weld LLP, 28 State Street, Boston, Massachusetts. I have been a partner with the firm since 1998. My practice is limited to litigation with an emphasis on commercial disputes.

3. I graduated from the University of Massachusetts in 1984 and Suffolk University Law School (cum laude) in 1987. I began my career at Goodwin, Procter & Hoar and joined Todd & Weld in 1993.

4. I have been licensed to practice in the Commonwealth of Massachusetts since 1987. I am admitted to United States District Court for the District of Massachusetts (1988), and the First Circuit Court of Appeals (1988). I have also been admitted to practice *pro hac vice* in the federal district courts in Minnesota, the Eastern District of Pennsylvania, and the Eastern District of Virginia.

5. Since joining Todd & Weld, I have tried and arbitrated (alone and with others in this office) approximately twenty five cases, many of them jury cases of a week or longer, and have prepared many other cases for trial. Among the cases I have tried are:

- Interealty Corp. v. PMSC Real Estate Franchising, Inc. d/b/a RE/MAX Europe; Federal District Court for the Eastern District of Virginia, C.A. No. 96-1758-A (Representing RE/MAX in a breach of a software development contract. Verdict for RE/MAX).
- Devin Lucas et al. v. Luisa Stigol, M.D. et al., Middlesex Superior Court Civil Action No. 94-1888A (\$7.1 million verdict for failure to diagnose hyperbillirubenemia resulting in severe cerebral palsy: fourth largest verdict in Massachusetts in 1998).
- Jack W. Rizika v. John J. Donovan, et al., Middlesex Superior Court Civil Action No. 93-6016 (\$4.8 million dollar jury verdict for breach of a contract to lease a building: fourth largest verdict in Massachusetts in 1995).
- Dwight G. Perkins, et al. v. Northwestern National Life Insurance Company, et al. Norfolk Superior Court Civil Action No. 94-2799 (three week trial resulting in plaintiffs' verdict for breach of disability insurance policy).
- Uno Restaurants, Inc. v. Boston Kenmore Realty Corp. Suffolk Superior Court Civil Action No.: 97-1120-C (plaintiff's verdict on breach of covenant of good faith and fair dealing stemming from denial of an option to purchase real estate).

- Patricia Fiore, Individually and as Administratrix of the Estate of Steven F. Fiore v. Framingham Union Hospital, et als., Middlesex Superior Court, Civil Action No. 94-1646. (Wrongful death medical malpractice action settled after two weeks of trial just prior to closings).
- Per Nylen, Administrator of the Estate of Helen Nylen, v. John C. Dalton, M.D., George B. Murray, M.D., Claire MacIsaac, R.N., Susan Gage, R.N., and Donna Williams, L.P.N., Suffolk Superior Court, Civil Action No. 91-1808E. (Wrongful death medical malpractice settled following a hung jury).

6. I have substantial experience managing complex disputes, including the following representative cases:

- Honeywell International, Inc. v. The Charles Stark Draper Laboratory, Inc. United States District Court, District of Minnesota, Civil Action No. 01-223 DSD/JMM. (Represented Draper in an action alleging breach of a licensing/commercialization agreement).
- Portland Natural Gas Transmission System v. Maritimes & Northeast Pipeline, L.L.C. v. PNGTS Operating Co., LLC, Suffolk Superior Court, C.A. #99-3546A (Represented Portland Natural Gas Transmission System in an action alleging breach of a joint development contract for a natural gas pipeline from Canada to Massachusetts).
- Palomar Medical Technologies, Inc. v. Banque SCS Alliance, S.A., Banque SCS Alliance S.A., Privatinvest Bank AG, and Arbuthnot Fund Managers, Ltd., United States District Court, District of Massachusetts, Civil Action No. 97-12329-REK

(Representing Palomar in an action involving alleged breaches of convertible debentures).

- Interealty Corporation v. PMSC Real Estate Franchising, Inc. d/b/a RE/MAX Europe, United States District Court, Eastern District of Virginia, Civil Action No.: 96-1758-A.
- Payne, et al. v. Goodyear Tire & Rubber Co., United States District Court, District of Massachusetts, Civil Action No. 01-10118-NG.

7. Todd & Weld LLP is a firm of more than 30 lawyers. Todd & Weld LLP can meet all financial obligations required of the firm as class counsel in this matter.

8. I believe I am a person of high moral standing and meet all of the qualifications of a practitioner in the fields of tort litigation and class actions.

SIGNED UNDER THE PENALTIES OF PERJURY ON THIS 22nd DAY OF AUGUST, 2006.

/s/ Kevin T. Peter
Kevin T. Peters